

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION SEVEN**

UNITED STATES POSTAL SERVICE

Respondent

and

**Cases 07-CA-099718
07-CA-100726
07-CA-100731
07-CA-100734
07-CA-101246
07-CA-106504
07-CA-106507**

**LOCAL 307, NATIONAL POSTAL MAIL
HANDLERS UNION, AFL-CIO, A DIVISION
OF THE LABORERS' INTERNATIONAL UNION
OF NORTH AMERICA, AFL-CIO**

Charging Party

FORMAL SETTLEMENT STIPULATION

I. Introduction

Through this formal settlement stipulation, the undersigned parties to this proceeding agree that, upon approval of this stipulation by the Board, a Board Order in conformity with its terms will issue and a court judgment enforcing the Order will be entered. The parties also agree to the following:

II. Jurisdiction

1) At all material times, Respondent has provided postal services for the United States and operated various facilities throughout the United States in the performance of that function, including facilities located in Grand Rapids, Michigan at: (a) 225 Michigan Street NW, herein called the Grand Rapids Main facility, and (b) 3500 Patterson Ave., SE, herein called the Patterson Annex, and collectively called Respondent's Grand Rapids facilities.

2) The Board has jurisdiction over Respondent and this matter by virtue of Section 1209 of the Postal Reorganization Act, 39 U.S.C. § 101, et seq., hereafter called PRA.

III. Labor Organization Status

At all material times, the National Postal Mail Handlers Union (NPMHU), AFL-CIO, (National Union), and the Charging Party, have been labor organizations within the meaning of Section 2(5) of the Act.

IV. Procedure

1) Filing and Receipt of Charges

(a). On March 6, 2013, the Charging Party filed the charge in Case 07-CA-099718, and a copy was served by regular mail on Respondent on the same date.

(b). On March 15, 2013, the Charging Party filed the amended charge in Case 07-CA-099718, and a copy was served by regular mail on Respondent on the same date.

(c). On March 20, 2013, the Charging Party filed the charges in Cases 07-CA-100726; 07-CA-100731; and 07-CA-100734, and copies were served by regular mail on Respondent on the same date.

(d). On March 26, 2013, the Charging Party filed the charge in Case 07-CA-101246, and a copy was served by regular mail on Respondent on March 27, 2013.

(e). On June 5, 2013, the Charging Party filed the charges in Cases 07-CA-106504 and 07-CA-106507, and copies were served by regular mail on Respondent on the same date.

2) Issuance of Amended Consolidated Complaint

On August 6, 2013, the Acting Regional Director for Region 7 of the Board issued an Order Further Consolidating Cases, First Amended Consolidated Complaint and Notice of Hearing in these cases, alleging that Respondent violated the National Labor Relations Act. Respondent and the Charging Party each acknowledge receipt of a copy of the Order Further Consolidating Cases, First Amended Consolidated Complaint and Notice of Hearing which was served by certified mail on August 6, 2013.

3) Withdrawal of Answers

By entering into this stipulation, the parties agree that all previous Answers to Complaints filed by Respondent in these cases, including the Answer to the First Amended Consolidated Complaint filed on or about August 19, 2013, are withdrawn.

4) Waiver

All parties waive the following: (a) filing of answer; (b) hearing; (c) administrative law judge's decisions; (d) filing of exceptions and briefs; (e) oral argument before

the Board; (f) the making of findings of fact and conclusions of law by the Board; and (g) all other proceedings to which the parties may be entitled under the Act or the Board's Rules and Regulations.

5) The Record

The entire record in this matter consists of the following documents: this stipulation; the charges and the amended charge listed above in paragraph IV, 1(a)-(e); and the Order Further Consolidating Cases, First Amended Consolidated Complaint and Notice of Hearing. Copies of the charges, the amended charge, and the Order Further Consolidating Cases, First Amended Consolidated Complaint and Notice of Hearing are attached as Exhibits A through I.

6) Entire Agreement

This stipulation constitutes the entire agreement between the parties; there is no agreement of any kind, verbal or otherwise, that alters or adds to it.

7) Scope of Stipulation and Reservation of Evidence

This stipulation settles only the allegations in the above-captioned cases and does not constitute a settlement of any other cases or matters. It does not preclude persons from filing charges, the General Counsel from prosecuting complaints or the Board and the courts from finding violations with respect to matters which precede the date of the approval of this stipulation, regardless of whether those matters are known to the General Counsel or are readily discoverable. The General Counsel reserves the right to use the evidence obtained in the investigation and prosecution of the above-captioned cases for any relevant purpose in the litigation of this or any other cases, and a judge, the Board and the courts may make findings of fact and/or conclusions of law with respect to that evidence.

8) Effective Date

This stipulation is subject to the approval of the Board and it does not become effective until the Board has approved it. The Regional Director will file with the Board this stipulation and the documents constituting the record as described above. Once the Board has approved the stipulation, Respondent will immediately comply with the provisions of the Order as set forth below.

V. Facts

1. The employees of Respondent described in Article 1 (Union Recognition) of the collective bargaining agreement between Respondent and the National Union with a term of November 21, 2006 until November 20, 2011, (the Unit) constitutes a unit appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act.

2. At all material times, Respondent has recognized the National Union as the exclusive collective bargaining representative of the Unit. This recognition has been embodied in successive collective bargaining agreements, the most recent of which, referenced above in paragraph 1, is effective from November 21, 2011 through May 20, 2016.

3. At all material times, based on Section 9(a) of the Act, the National Union has been the exclusive collective-bargaining representative of the Unit.

4. At all material times, the Charging Party has been the designated servicing representative of the National Union for employees in the Unit employed at Respondent's Grand Rapids, Michigan facilities.

5. Since about the dates set forth below, the Charging Party requested, in writing, that Respondent furnish it with the following information:

Date of Request	Requested Information
(a). January 8, 2013	Casual Hiring forms for: i. Audry Gillespie – December 2012 / January 2013 ii. James Jones – December 2012 / January 2013 iii. Carl Uzarski – December 2012 / January 2013
(b). February 8, 2013	i. Copy of any discipline issued to Nichon Perrier for conduct unbecoming or discipline for throwing a shoe, grabbing equipment from an employee's hands, creating a hostile work place (2010, 2011, 2012); ii. Copy of any discipline issued to Vance Dever for conduct unbecoming or discipline issued for grabbing mail from an employee's hands, creating a hostile environment (2012); iii. Copy of any discipline issued to Lynn Rutherford for conduct unbecoming while acting as 204(b) (2011, 2012).
(c). February 15, 2013	Complete Case File For APWU R1399 Dispute J94C-1J-C-98050683 and Grievance # LDRC00398 (GR38797C)
(d). March 7, 2013	All labor management minutes for 2011 year, all PTR bid cycles from December 2010 thru May 2012
(e). March 12, 2013	Copy of tour 2 master OTDL at end of quarter to show when people requested to be off list, July-September and October-December 2012.
(f). May 1, 2013 and again on May 10, 2013 and May 14, 2013	The Staffing Matrix for the SPBS/APBS 8-seater that is in the process of installation. 6/18/13 RVE
(g). May 10, 2013 and again on May 28, 2013	Productivity and efficiency reports prior to the hiring of the first MHAs and the current productivity and efficiency reports prior to the proposed hiring on 5/18/13 of 8-9 MHAs.

6. The information requested by the Charging Party, as described above in paragraph 5, is necessary for, and relevant to, the Charging Party's performance of its duties as the servicing representative of the exclusive collective bargaining representative of the Unit.

7(a). Respondent by written response dated March 14, 2013, refused, and thereafter unreasonably delayed until April 26, 2013, in furnishing the Charging Party with the information requested by it as described above in paragraph 5(a)(i)-(iii).

(b)(i). Respondent by written communication dated March 12, 2013, requested that the Charging Party explain the relevance of its request for information described above in paragraph 5(b)(i)-(iii).

(ii). Following a written explanation from the Charging Party dated March 12, 2013, describing the relevance of the requested information in paragraph 5(b) (i)-(iii) above, Respondent unreasonably delayed until April 26, 2013, in furnishing the Charging Party with the information requested by it as described above in paragraph 5(b) (i)-(iii).

(c). From about February 15, 2013, to about the third week of April 2013, Respondent unreasonably delayed in furnishing the Charging Party with the information requested by it as described above in paragraph 5(c).

(d). Since about March 7, 2013, Respondent has failed and refused to furnish the Charging Party with the information requested by it as described above in paragraph 5(d).

(e). From about March 12, 2013 to about April 8, 2013, Respondent unreasonably delayed in furnishing the Charging Party with the information requested by it as described above in paragraph 5(e).

(f). From about May 1, 2013 to the present, Respondent has refused to provide the information requested by it as described above in paragraph 5(f).

(g). From about May 10, 2013 to June 14, 2013, Respondent, has unreasonably delayed in furnishing the Charging Party with the information requested by it as described above in paragraph 5(g).

8. By the conduct described above in paragraph 7, the Respondent has been failing and refusing to bargain collectively and in good faith with the servicing representative of the exclusive collective bargaining representative of its employees in violation of Section 8(a)(1) and (5) of the Act, and within the meaning of the PRA.

VI. Order

Based on this stipulation and the record as described above, and without any further notice of proceedings, the Board may immediately enter an order providing as follows:

Respondent, United States Postal Service, Grand Rapids, Michigan, its officers, agents, successors, and assigns, shall

1. Cease and desist from:

(a). Refusing to bargain collectively with Local 307, National Postal Mail Handlers Union, AFL-CIO, a Division of the Laborers' International Union of North America, AFL-CIO (the Charging Party), by failing and refusing to timely provide requested information that is relevant and necessary to the Charging Party as the designated servicing representative of the National Union, the collective bargaining representative of those unit employees described in the existing collective bargaining agreement and found appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act (the Unit).

(b). In any like or related manner refusing to bargain collectively and in good faith with the Charging Party.

2. Take the following affirmative action:

(a). Promptly provide the Charging Party with: (i) the labor management minutes for 2011, all PTR bid cycles from December 2010 thru May 2012, requested by the Charging Party on various dates between December 20 through May 2012; and (ii) the Staffing Matrix for the SPBS/APBS 8-seater that is in the process of installation, requested by the Charging Party on or about May 1, 2013, and again on May 4, 2012, and again May 14, 2013.

(b). Upon request bargain collectively and in good faith with the Charging Party as the servicing representative of the exclusive collective bargaining representative of the employees in the Unit at Respondent's Grand Rapids facilities.

(c). Within 14 days of service by the Region, post at the Grand Rapids Main facility and at the Patterson Annex copies of the attached notice marked "Appendix." Copies of the notice, on forms provided by Region 7, after being signed by Respondent's authorized representative, shall be posted by Respondent and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. In addition to physical posting of paper notices, Respondent shall distribute notices electronically, by email, posting on an intranet or internet site, and/or other electronic means, if the Respondent customarily communicates with its employees by such means. Respondent will take reasonable steps to ensure that the notices are not altered, defaced or covered by any other material. In the event that, during the pendency of these proceedings, Respondent has gone out of business or closed the facility involved in these proceedings, Respondent shall duplicate and mail, at its own expense, a copy of the notice to all current employees and former employees employed by Respondent at any time since February 15, 2013.

(d). Within 21 days after service by the Region, file with the Regional Director a sworn certification of a responsible official on a form provided by the Union attesting to the steps that Respondent has taken to comply.


VII. Enforcement of Order

The United States Court of Appeals for any appropriate circuit may, on application by the Board, enter its judgment enforcing the Order of the Board in the form set forth above. Respondent waives all defenses to the entry of the judgment, including compliance with the Order of the Board and its right to receive notice of the filing of an application for the entry of such judgment, provided that the judgment is in the words set forth above. However, Respondent shall be required to comply with the affirmative provisions of the Board's Order after entry of the judgment only to the extent that it has not already done so.

UNITED STATES POSTAL SERVICE

Respondent

By:

 _____

Roderick Eves, Deputy Managing Counsel
Law Department - NLRB
United States Postal Service

9/3/13
Date

LOCAL 307, NATIONAL POSTAL MAIL
HANDLERS UNION, AFL-CIO, A DIVISION
OF THE LABORERS' INTERNATIONAL UNION
OF NORTH AMERICA, AFL-CIO

Charging Party

By:

Date

Approval Recommended:

Steven Carlson
Field Attorney, Region 7
National Labor Relations Board
Gerald R. Ford Federal Building
110 Michigan Street, NW, Room 299
Grand Rapids, MI 49503-2363

Date

VII. Enforcement of Order

The United States Court of Appeals for any appropriate circuit may, on application by the Board, enter its judgment enforcing the Order of the Board in the form set forth above. Respondent waives all defenses to the entry of the judgment, including compliance with the Order of the Board and its right to receive notice of the filing of an application for the entry of such judgment, provided that the judgment is in the words set forth above. However, Respondent shall be required to comply with the affirmative provisions of the Board's Order after entry of the judgment only to the extent that it has not already done so.

UNITED STATES POSTAL SERVICE

Respondent

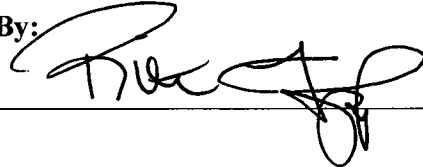
By:

Date

**LOCAL 307, NATIONAL POSTAL MAIL
HANDLERS UNION, AFL-CIO, A DIVISION
OF THE LABORERS' INTERNATIONAL UNION
OF NORTH AMERICA, AFL-CIO**

Charging Party


By:



9/5/13

Date

Approval Recommended:



Steven Carlson

Field Attorney, Region 7
National Labor Relations Board
Gerald R. Ford Federal Building
110 Michigan Street, NW, Room 299
Grand Rapids, MI 49503-2363

9/5/13

Date

Approved:

/s/ Terry Morgan

Terry Morgan

Regional Director, Region 7

National Labor Relations Board

477 Michigan Ave., Room 300

Detroit, MI 48226

9/10/13

Date

APPENDIX A
NOTICE TO EMPLOYEES

**PURSUANT TO A STIPULATION PROVIDING FOR A BOARD ORDER
AND A CONSENT JUDGMENT OF ANY APPROPRIATE UNITED STATES
COURT OF APPEALS**

We are posting this Notice to inform you of the rights guaranteed to you by the National Labor Relations Act.

FEDERAL LAW GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose representatives to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

WE WILL NOT refuse to provide timely and complete responses to requests from Local 307, National Postal Mail Handlers Union, AFL-CIO, a Division of the Laborers' International Union of North America, AFL-CIO (the Union) for information that is necessary for and relevant to the Union's performance of its duties as the designated servicing representative of the exclusive collective-bargaining representative of certain of our employees.

WE WILL NOT in any like or related manner refuse to bargain collectively and in good faith with any labor organization, including the Union as the designated servicing representative of the exclusive collective-bargaining representative of certain of our employees.

WE WILL promptly provide the Union with: (i) the labor-management minutes for 2011, and all PTR bid cycles from December 2010 thru May 2012, requested by the Union on various dates between December 20 through May 2012; and (ii) the Staffing Matrix for the SPBS/APBS ~~scater~~ ^{scater} that is in the process of installation, requested by the Union on or about May 1, 2013, and again on May 4, 2012, and again May 14, 2013.

WE WILL upon request bargain collectively and in good faith with the Union as the exclusive collective bargaining representative of certain of our employees.

WE WILL NOT in any like or related manner interfere with your rights under Section 7 of the Act.

UNITED STATES POSTAL SERVICE

Dated: _____

By: _____
(Representative) (Title)

477 Michigan Avenue, Room 300, Patrick V. McNamara Federal Building, Detroit, Michigan 48226
Telephone (313) 226-3200, Hours of Operation 8:15 a.m. to 4:45 p.m.

Mark D. Barnes at (313) 226-3244

EXHIBITS A THROUGH I

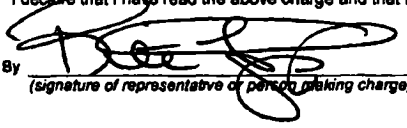
UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

FORM EXEMPT UNDER 44 U.S.C. 3512

DO NOT WRITE IN THIS SPACE	
Case 07-CA-099718	Date Filed Mar 6, 2013

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer United States Postal Service	b. Tel. No. 616-776-1582
	c. Cell No. 317-367-9357
	f. Fax No. 616-774-6942
d. Address (Street, city, state, and ZIP code) 225 Michigan NW Grand Rapids, MI 49599	e. Employer Representative Brian Fisher Senior Plant Manager
	g. e-Mail brian.k.fisher@usps.gov
	h. Number of workers employed 200+
i. Type of Establishment (factory, mine, wholesaler, etc.) Mail Processing Center	j. Identify principal product or service Letters and packages
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) <u>Sec 8</u> of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Management has refused to provide information with the primary claim of unavailability and the secondary claim "this information was provided to the Mail Handler Union". If they have provided it in the past where is it now? Management has recently made the claim of the clerk craft having jobs in parcel post around 1992-1993. If they know this they must have the same information available to them for the Mail handler craft. Management has refused information before based on the claim of having provided the information in the past to either another administration or steward. This recent claim is based on the claim of providing information 20 years ago. The access to information is a provision of the NPMHU Collective Bargaining Agreement and has no limitations on requesting the information more than once. This is merely an attempt to prohibit due process on a grievance.	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) National Postal Mail Handler Union Local 307	
4a. Address (Street and number, city, state, and ZIP code) 2441 West Grand Blvd. Suite 201 Detroit, MI 48208	4b. Tel. No. 313-831-1334
	4c. Cell No. 313-421-6155
	4d. Fax No. 313-758-0675
	4e. e-Mail grlocal307@yahoo.com
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) Laborers International Union of North America, AFL-CIO	
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.	
By  (signature of representative of person making charge)	Rita Tripp Local 307 Grand Rapids BP (Print/type name and title or office, if any)
Address <u>136 Cliff Muir, MI 48860</u>	3/5/13 (date)
	Tel. No. 616-977-1060
	Office, if any, Cell No. 616-301-5290 (cell)
	Fax No. 616-977-1022
	e-Mail ritatripp@yahoo.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

EXHIBIT

A

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
Amended CHARGE AGAINST EMPLOYER

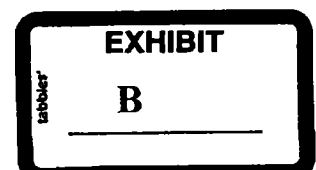
DO NOT WRITE IN THIS SPACE	
Case 07-CA-099718	Date Filed March 15, 2013

INSTRUCTIONS

File an original and 4 copies of this charge with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1 EMPLOYER AGAINST WHOM CHARGE IS BROUGHT		
a Name of Employer UNITED STATES POSTAL SERVICE		210
c Address (street, city, state, ZIP code) 225 Michigan NW Grand Rapids, MI	d Employer Representative Brian Fisher Senior Plant Manager	e Telephone No 616-776-1582 Fax 616-774-6942
f Type of Establishment (factory, mine, wholesaler, etc.) Postal Service	g Identify principal product or service Mail Delivery	
h The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a) subsections (1) list subsections (5) and of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act		
2 Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)		
<p>During the past six months, the above named Employer has failed and refused to bargain in good faith with the Union by refusing to provide relevant and necessary information as follows:</p> <p>1 Date of the request 2/15/2013</p> <p>2 Name and title of the person requesting the information Rita Tripp - NPMHU President, Local 307 - Grand Rapids, MI</p> <p>3 Name and title of the person to whom the information request was submitted Brian Fisher - Plant Manager</p> <p>4 Was the request made orally or in writing? In writing - see attached <i>see attached</i></p> <p>5 Describe generally the requested information that has not been provided None of the requested information has been provided</p> <p>6 Explain the reason for the request (e.g. contract administration, grievance processing, collective bargaining, etc.) Investigating a grievance</p>		
By the above and other acts, the above-named employer has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 7 of the Act		
3 Full name of party filing charge (if labor organization, give full name including local name and number) National Postal Mailhandlers Union, Local 307		
4a Address (street and number, city, state and ZIP code) 2441 West Grand Blvd. Suite 201 Detroit, MI 48208	4b Telephone No 313-831-1334	
5 Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) Laborers International Union of North America, AFL-CIO		
6 DECLARATION		
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief		
By <i>Rita Tripp</i> Signature of representative or person making charge	<i>Rita Tripp</i> (Title if any)	<i>Local 307 Grand Rapids B.P.</i> (Title if any)
<i>136 CHA</i> (Address)	<i>muir, MI 48860</i> (Telephone No)	<i>616-301-5290</i> (Date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT
(U.S. CODE, TITLE 18, SECTION 1001)





National Postal Mail Handlers Union
Local 307 – Michigan
2929 East Grand Blvd., Detroit, Michigan 48202-3131
Phone (313) 831-1334 FAX (313) 758-0675

REQUEST FOR INFORMATION

Date of Request: 2/15/13

TO: BRIAN FISHER

TITLE: PLANT MANAGER

ISSUE: INVESTIGATING A GRIEVANCE

In accordance with Article 17, Section 3 and Article 31.3 of the National Agreement and with the National Labor Relations Act, the following request is made in reference to the above stated issue. This information is requested so that the Union may review all information related to the cited issue and obtain copies of the relevant documents. Failure to provide for the review or to supply the information shall prevent management from using it in relation to this issue in the future.

REQUEST COPY OF:

COMPLETE LISTING OF ALL MAILHANDLER BID ASSIGNMENTS IN 1992 THROUGH 1998

Not Received

Rita Tripp
Union Representative

2/15/13
Date

Original Request Received by

Date

Please provide the requested information by:

2/20/13



National Postal Mail Handlers Union
Local 307 – Michigan
2929 East Grand Blvd., Detroit, Michigan 48202-3131
Phone (313) 831-1334 FAX (313) 758-0675

REQUEST FOR INFORMATION

Date of Request: 2/15/13

TO: BRIAN FISHER

TITLE: PLANT MANAGER

ISSUE: INVESTIGATING A GRIEVANCE

In accordance with Article 17, Section 3 and Article 31.3 of the National Agreement and with the National Labor Relations Act, the following request is made in reference to the above stated issue. This information is requested so that the Union may review all information related to the cited issue and obtain copies of the relevant documents. Failure to provide for the review or to supply the information shall prevent management from using it in relation to this issue in the future.

REQUEST COPY OF:

Rec'd. 2/25/13 RF
~~ALL DOCUMENTATION, EMAIL AND CORRESPONDENCE RELATED TO THE DETERMINATION OF SCP 130 OUTSIDES, 490 PARCEL POST JURISDICTIONAL CHANGE 2012-2013~~

(COMPLETE CASE FILE FOR APWU RI399 DISPUTE J94C-1J-C-98050683 AND GRIEVANCE # LDRC00398 (GR38797C))

Not Received

Rita Tripp

Union Representative

Date

2/15/13

Original Request Received by

Date

Please provide the requested information by:

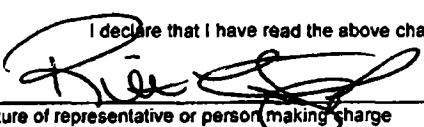
2/20/13

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
07-CA-100726	March 20, 2013

INSTRUCTIONS

File an original and 4 copies of this charge with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT		
a. Name of Employer UNITED STATES POSTAL SERVICE		210
c. Address (street, city, state, ZIP code) 225 Michigan NW Grand Rapids, MI	d. Employer Representative Brian Fisher Senior Plant Manager	e. Telephone No 616-776-1582 Fax 616-774-6942
f. Type of Establishment (factory, mine, wholesaler, etc.) Postal Service	g. Identify principal product or service Mail Delivery	
h. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) list subsections (5) and of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act.		
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)		
<p>During the past six months, the above named Employer has failed and refused to bargain in good faith with the Union by refusing to provide relevant and necessary information as follows:</p> <p>1. Date of the request: 2/8/13</p> <p>2. Name and title of the person requesting the information: Billy Genia Steward</p> <p>3. Name and title of the person to whom the information request was submitted: Darlene Brenner Manager Distribution Operations</p> <p>4. Was the request made orally or in writing? Written request (attached)</p> <p>5. Describe generally the requested information that has not been provided: Discipline issued to supervision</p> <p>6. Explain the reason for the request (e.g. contract administration, grievance processing, collective bargaining, etc.) The processing of a Article 2 (non-discrimination) grievance</p> <p>By the above and other acts, the above-names employer has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 7 of the Act.</p>		
3. Full name of party filing charge (if labor organization, give full name, including local name and number) National Postal Mail Handlers Union, Local 307		
4a. Address (street and number, city, state and ZIP code) 2441 West Grand Blvd. Suite 201 Detroit, MI 48208		4b. Telephone No. 313-831-1334
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization).		
Laborers International Union of North America, AFL-CIO		
6. DECLARATION		
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.		
By  Signature of representative or person making charge		Local 307 Grand Rapids Branch President (Title if any)
136 Cliff Muir, MI 48860 (Address)	616-301-5290 (Telephone No.)	3/19/13 (Date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT
(U.S. CODE, TITLE 18, SECTION 1001)

EXHIBIT

C



National Postal Mail Handlers Union
Local 307 - Michigan

3330 East Grand Blvd., Detroit, Michigan 48202-3131
Phone (313) 321-1334 FAX (313) 735-0075

25 - Labor

REQUEST FOR INFORMATION

Date of Request 08 Feb, 2013

TO: Darlene Granger

TITLE: MOO

ISSUE: Grievance, ART 2

In accordance with Article 17, Section 3 and Article 31.3 of the National Agreement and with the National Labor Relations Act, the following request is made in reference to the above stated issue. This information is requested so that the Union may review all information related to the cited issue and obtain copies of the relevant documents. Failure to provide for the review or to supply the information shall preclude management from using it in relation to this issue in the future.

REQUEST COPY OF:

1. Copy of any discipline issued to Michon Ferrer for conduct unbecoming or discipline issued for
2. throwing a shoe, grabbing equipment from an employee's hands, creating a hostile work place. (200, 201, 2012)
3. Copy of any discipline issued to Vance Davis for conduct unbecoming or discipline issued for
4. grabbing mail from an employee's hands, creating a hostile work environment. (2012)
5. Copy of any discipline issued to Lynn Pugh and for conduct unbecoming while acting as a 204b (2011, 2012)
6. Any questions please contact me @ 774-1430 Mail Handler Union Office

[Signature]
Union Representative

08 Feb 2013
Date

S. Hentel
Original Request Received by
2/8/13
Date

Please provide the requested information by: 13 Feb, 2013

RECEIVED

FEB 08 2013

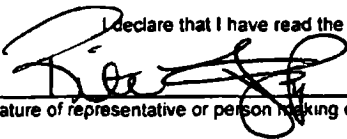
G.R. P & DC

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
07-CA-100731	March 20, 2013

INSTRUCTIONS

File an original and 4 copies of this charge with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT		
a. Name of Employer UNITED STATES POSTAL SERVICE		210
c. Address (street, city, state, ZIP code) 225 Michigan NW Grand Rapids, MI	d. Employer Representative Brian Fisher Senior Plant Manager	e. Telephone No. 616-776-1582 Fax 616-774-6942
f. Type of Establishment (factory, mine, wholesaler, etc.) Postal Service	g. Identify principal product or service Mail Delivery	
h. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) list subsections (5) and of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act		
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) <p>During the past six months, the above named Employer has failed and refused to bargain in good faith with the Union by refusing to provide relevant and necessary information as follows:</p> <ol style="list-style-type: none"> 1. Date of the request: 3/12/13 2. Name and title of the person requesting the information: Billy Genia Steward 3. Name and title of the person to whom the information request was submitted: Darlene Brenner Manager Distribution Operations 4. Was the request made orally or in writing? Written request (attached) 5. Describe generally the requested information that has not been provided. The OTDL (overtime desired list) 6. Explain the reason for the request (e.g. contract administration, grievance processing, collective bargaining, etc.) The processing of a grievance <p>By the above and other acts, the above-named employer has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 7 of the Act.</p>		
3. Full name of party filing charge (if labor organization, give full name, including local name and number) National Postal Mail Handlers Union, Local 307		
4a. Address (street and number, city, state and ZIP code) 2441 West Grand Blvd. Suite 201 Detroit, MI 48208		4b. Telephone No. 313-831-1334
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization.) Laborers International Union of North America, AFL-CIO		
6. DECLARATION <p>I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.</p> <p>By  _____</p> <p>Signature of representative or person making charge</p> <p><u>Local 307</u> <u>Grand Rapids Branch President</u> _____ (Title if any)</p> <p>136 Cliff Muir, MI 48860 616-301-5290 3/19/13</p> <p>_____ (Address) (Telephone No.) (Date)</p>		

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT
(U.S. CODE, TITLE 18, SECTION 1001)

EXHIBIT**D**

tabbies



National Postal Mail Handlers Union
Local 307 - Michigan
2829 East Grand Blvd., Detroit, Michigan 48202-3131
Phone (313) 831-1334 FAX (313) 768-0673

51 - Brenner
52 - Nardy

REQUEST FOR INFORMATION

Date of Request: 12 March, 2013

TO: Darlene Brenner

TITLE: MPO

ISSUE: Grievance

In accordance with Article 17, Section 3 and Article 31.3 of the National Agreement and with the National Labor Relations Act, the following request is made in reference to the above stated issue. This information is requested so that the Union may review all information related to the cited issue and obtain copies of the relevant documents. Failure to provide for the review or to supply the information shall prevent management from using it in relation to this issue in the future.

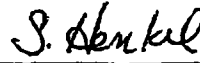
REQUEST COPY OF:

1. Copy of tour 3 master OTDL list at end of quarter to show when people requested to be off list.
2. July-September and October-December 2012.
3. Copy of tour 2 master OTDL list at end of quarter to show when people requested to be off list.
4. July-September and October-December 2012.
5. _____
6. Any questions please contact me @ 776-1439 MailHandler Union Office



Union Representative

12 Mar, 2013
Date



Original Request Received by

3/13/13
Date

Please provide the requested information by: 17 Mar, 2013

RECEIVED

MAR 13 2013

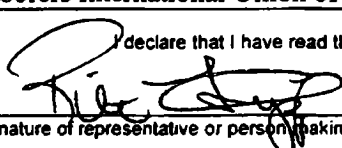
G.R. P & DC

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
07-CA-100734	March 20, 2013

INSTRUCTIONS

File an original and 4 copies of this charge with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT		
a. Name of Employer UNITED STATES POSTAL SERVICE		210
c. Address (street, city, state, ZIP code) 225 Michigan NW Grand Rapids, MI	d. Employer Representative Brian Fisher Senior Plant Manager	e. Telephone No 616-776-1582 Fax 616-774-6942
f. Type of Establishment (factory, mine, wholesaler, etc.) Postal Service	g. Identify principal product or service Mail Delivery	
h. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) list subsections (5) and of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act.		
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) During the past six months, the above named Employer has failed and refused to bargain in good faith with the Union by refusing to provide relevant and necessary information as follows: 1. Date of the request. 3/8/13 2. Name and title of the person requesting the information: Stanley McIntosh Steward 3. Name and title of the person to whom the information request was submitted: Brian Fisher Senior Plant Manager 4. Was the request made orally or in writing? Written request (attached) 5. Describe generally the requested information that has not been provided: Labor Management meeting minutes for 2011 and all PTR (part-time regular) bid cycles 2010-2012 6. Explain the reason for the request (e.g. contract administration, grievance processing, collective bargaining, etc.) The processing of a grievance involving the un-assignment of a PTR and the verbal agreement that was made in a Labor Management meeting. <hr/> By the above and other acts, the above-named employer has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 7 of the Act.		
3. Full name of party filing charge (if labor organization, give full name, including local name and number) National Postal Mail Handlers Union, Local 307		
4a. Address (street and number, city, state and ZIP code) 2441 West Grand Blvd. Suite 201 Detroit, MI 48208		4b. Telephone No. 313-831-1334
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization). Laborers International Union of North America, AFL-CIO		
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. By  _____ Signature of representative or person making charge <div style="text-align: right;"> <u>Local 307</u> <u>Grand Rapids Branch President</u> _____ (Title if any) </div>		
136 Cliff Muir, MI 48860	616-301-5290	3/19/13
(Address)	(Telephone No.)	(Date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT
(U.S. CODE, TITLE 18, SECTION 1001)

EXHIBIT
E



National Postal Mail Handlers Union
Local 307 - Michigan
 2929 East Grand Blvd., Detroit, Michigan 48202-3131
 Phone (313) 831-1334 FAX (313) 758-0675

46 - Henkel
 47 - Gibbons

REQUEST FOR INFORMATION

Date of Request: 3/7/2013

TO: BRIAN FISHER

TITLE: PLANT MANAGER

ISSUE: INVESTIGATING A GRIEVANCE

In accordance with Article 17, Section 3 and Article 31.3 of the National Agreement and with the National Labor Relations Act, the following request is made in reference to the above stated issue. This information is requested so that the Union may review all information related to the cited issue and obtain copies of the relevant documents. Failure to provide for the review or to supply the information shall prevent management from using it in relation to this issue in the future.

REQUEST COPY OF:

all labor management minutes for the 2011 year

- Henkel

all ptr bid cycles from December 2010 thru May 2012

- Gibbons

Rita Tripp was given this info

RECEIVED

MAR 08 2013

G.R. P & DC

Rita Tripp received this info and/or

Ron Garcia

Stanley L. Matur
 Union Representative

S. Henkel
 Original Request Received by

3/7/13
 Date

3/8/13
 Date

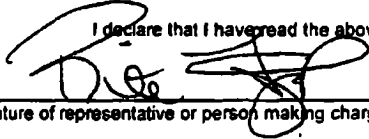
Please provide the requested information by: 3/12/13

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
07-CA-101246	March 26, 2013

INSTRUCTIONS

File an original and 4 copies of this charge with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT		
a. Name of Employer UNITED STATES POSTAL SERVICE		210
c. Address (street, city, state, ZIP code) 225 Michigan NW Grand Rapids, MI	d. Employer Representative Brian Fisher Senior Plant Manager	e. Telephone No. 616-776-1582 Fax 616-774-6942
f. Type of Establishment (factory, mine, wholesaler, etc.) Postal Service	g. Identify principal product or service Mail Delivery	
h. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) list subsections (5) and of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act.		
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) During the past six months, the above named Employer has failed and refused to bargain in good faith with the Union by refusing to provide relevant and necessary information as follows: 1. Date of the request: 1/8/13 2. Name and title of the person requesting the information: Rita Tripp 3. Name and title of the person to whom the information request was submitted: Brian Fisher Senior Plant Manager 4. Was the request made orally or in writing? Written request (attached) 5. Describe generally the requested information that has not been provided: Hiring forms for Mail Handler casuals 6. Explain the reason for the request (e.g. contract administration, grievance processing, collective bargaining, etc.) Casual in Lieu of grievance the Union has filed. By the above and other acts, the above-named employer has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 7 of the Act.		
3. Full name of party filing charge (if labor organization, give full name, including local name and number) National Postal Mail Handlers Union, Local 307		
4a. Address (street and number, city, state and ZIP code) 2441 West Grand Blvd. Suite 201 Detroit, MI 48208		4b. Telephone No. 313-831-1334
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization.) Laborers International Union of North America, AFL-CIO		
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. By  _____ Signature of representative or person making charge <div style="text-align: right;"> Rita Tripp Local 307 Grand Rapids Branch President (Title if any) </div>		
136 Cliff Muir, MI 48860	616-301-5290	3/25/13
(Address)	(Telephone No.)	(Date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT
(U.S. CODE, TITLE 18, SECTION 1001)

RECEIVED
NLRB

2013 MAR 26 PM 12:10
REGIONAL OFFICE
GRAND RAPIDS, MI

EXHIBIT
F



National Postal Mail Handlers Union
Local 307 - Michigan
2020 East Grand Blvd., Detroit, Michigan 48202-3131
Phone (313) 831-1334 FAX (313) 758-0673

1 - HR

REQUEST FOR INFORMATION

Date of Request: 1/8/13

TO: BRIAN FISHER

TITLE: PLANT MANAGER

ISSUE: INVESTIGATING A GRIEVANCE

In accordance with Article 17, Section 3 and Article 31.3 of the National Agreement and with the National Labor Relations Act, the following request is made in reference to the above stated issue. This information is requested so that the Union may review all information related to the cited issue and obtain copies of the relevant documents. Failure to provide for the review or to supply the information shall prevent management from using it in relation to this issue in the future.

REQUEST COPY OF:

Casual Hiring forms for:

Audrey Gillespie - December 2012 / January 2013

Jamies Jones - December 2012 / January 2013

Carl Uzarski - December 2012 / January 2013

RECEIVED

JAN 10 2013

G.R. P & DC

Rita Top
Union Representative

1/8/13
Date

S. Hentel

Original Request Received by

1/10/13
Date

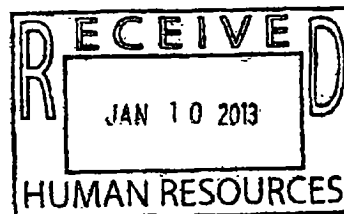
Please provide the requested information by: 1/13/13

RECEIVED

MAR 14 2013

G.R. P & DC

per email



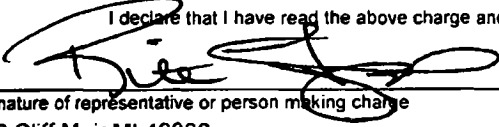
Petri - "Local Services"
Derrick -
Susan #2 Lansing

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
07-CA-106504	June 5, 2013

INSTRUCTIONS

File an original and 4 copies of this charge with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT		
a. Name of Employer UNITED STATES POSTAL SERVICE		210
c. Address (street, city, state, ZIP code) 225 Michigan NW Grand Rapids, MI	d. Employer Representative Martin Hunnicutt Senior Plant Manager	e. Telephone No 616-776-1582 Fax 616-774-6942
f. Type of Establishment (factory, mine, wholesaler, etc.) Postal Service	g. Identify principal product or service Mail Delivery	
h. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) list subsections (5) and of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act.		
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)		
<p>During the past six months, the above named Employer has failed and refused to bargain in good faith with the Union by refusing to provide relevant and necessary information as follows</p> <p>1 Date of the request: 5/1/13</p> <p>2 Name and title of the person requesting the information. Rita Tripp Grand Rapids Branch President Local 307</p> <p>3 Name and title of the person to whom the information request was submitted: Martin Hunnicutt Grand Rapids Senior Plant Manager</p> <p>4 Was the request made orally or in writing? Written request (attached) Writing</p> <p>5 Describe generally the requested information that has not been provided: Staffing matrix used to determine the staffing for SPBS/APBS operation and 130 Parcel Post operation</p> <p>6 Explain the reason for the request (e.g. contract administration, grievance processing, collective bargaining, etc.) Grievance processing</p> <p>By the above and other acts, the above-named employer has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 7 of the Act.</p>		
3. Full name of party filing charge (if labor organization, give full name, including local name and number) National Postal Mail Handlers Union, Local 307		
4a. Address (street and number, city, state and ZIP code) 2441 West Grand Blvd. Suite 201 Detroit, MI 48208		4b. Telephone No 313-831-1334
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) Laborers International Union of North America, AFL-CIO		
6. DECLARATION		
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.		
By  Signature of representative or person making charge 136 Cliff Muir MI 48860		Grand Rapids Branch President (Title if any) 6/3/13
(Address)	(Telephone No)	(Date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT
(U.S. CODE, TITLE 18, SECTION 1001)

EXHIBIT**G**



National Postal Mail Handlers Union
Local 307 - Michigan
2929 East Grand Blvd., Detroit, Michigan 48202-3131
Phone (313) 831-1334 FAX (313) 758-0675

101 - Gibbons

REQUEST FOR INFORMATION

Date of Request: 5/1/13

TO: MARTIN HUNNICUTT

TITLE: PLANT MANAGER

ISSUE: INVESTIGATING A GRIEVANCE

In accordance with Article 17, Section 3 and Article 31.3 of the National Agreement and with the National Labor Relations Act, the following request is made in reference to the above stated issue. This information is requested so that the Union may review all information related to the cited issue and obtain copies of the relevant documents. Failure to provide for the review or to supply the information shall prevent management from using it in relation to this issue in the future.

REQUEST COPY OF:

Staffing matrix for the SPBS/APBS 6 seater that is in process of installation.
Staffing matrix for 130 Parcel Post at the P1 annex

Updated floor plans for Patterson Annex (both buildings)

Received
RECEIVED

MAY 02 2013

G.R. P & DC

Rita Tripp
Union Representative

5/1/13
Date

S. Nental
Original Request Received by

5/2/13
Date

Please provide the requested information by: 5/6/13



National Postal Mail Handlers Union
Local 307 – Michigan
2929 East Grand Blvd., Detroit, Michigan 48202-3131
Phone (313) 831-1334 FAX (313) 758-0675

REQUEST FOR INFORMATION

Date of Request: 5/14/13

TO: MARTIN HUNNICUTT

TITLE: PLANT MANAGER

ISSUE: INVESTIGATING A GRIEVANCE

In accordance with Article 17, Section 3 and Article 31.3 of the National Agreement and with the National Labor Relations Act, the following request is made in reference to the above stated issue. This information is requested so that the Union may review all information related to the cited issue and obtain copies of the relevant documents. Failure to provide for the review or to supply the information shall prevent management from using it in relation to this issue in the future.

REQUEST COPY OF:

Staffing matrix for the SPBS/APBS 6 seater that is in process of installation.
Staffing matrix for 130 Parcel Post at the P1 Annex

Updated floor plans for Patterson Annex (both buildings)

Received 

*****This is a second request*****


Union Representative

5/14/13
Date

Original Request Received by _____

Date

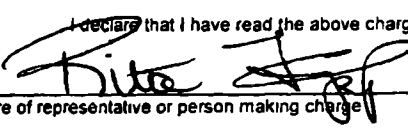
Please provide the requested information by: _____

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
07-CA-106507	June 5, 2013

INSTRUCTIONS

File an original and 4 copies of this charge with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT		
a. Name of Employer UNITED STATES POSTAL SERVICE		210
c. Address (street, city, state, ZIP code) 225 Michigan NW Grand Rapids, MI	d. Employer Representative	e. Telephone No. 616-776-1582 Fax 616-774-6942
f. Type of Establishment (factory, mine, wholesaler, etc) Postal Service	g. Identify principal product or service Mail Delivery	
h. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) list subsections (5) and of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act.		
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)		
During the past six months, the above named Employer has failed and refused to bargain in good faith with the Union by refusing to provide relevant and necessary information as follows:		
1. Date of the request: 5/10/13		
2. Name and title of the person requesting the information: Rita Tripp Grand Rapids Branch President		
3. Name and title of the person to whom the information request was submitted: John Gibbons In-plant Support, Sandra Henkel Plant Mgr secretary		
4. Was the request made orally or in writing? In writing		
5. Describe generally the requested information that has not been provided: The reports used to determine efficiency and productivity for the MHA employees		
6. Explain the reason for the request (e.g. contract administration, grievance processing, collective bargaining, etc.) Investigating a possible grievance. The number of MHA employees that have been hired may have violated the CBA		
By the above and other acts, the above-named employer has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 7 of the Act.		
3. Full name of party filing charge (if labor organization, give full name, including local name and number) National Postal Mailhandlers Union, Local 307		
4a. Address (street and number, city, state and ZIP code) 2441 West Grand Blvd. Suite 201 Detroit, MI 48208		4b. Telephone No. 313-831-1334
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) Laborers International Union of North America, AFL-CIO		
6. DECLARATION		
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.		
By  Signature of representative or person making charge		Rita Tripp Grand Rapids Branch President (Title if any)
136 Cliff Muir, MI 48860 (Address)		616 301 6290 (Telephone No)
		6/3/13 (Date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT
(U.S. CODE, TITLE 18, SECTION 1001)



**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION SEVEN**

UNITED STATES POSTAL SERVICE

Respondent
and

Cases 07-CA-099718
07-CA-100726
07-CA-100731
07-CA-100734
07-CA-101246
07-CA-106504
07-CA-106507

LOCAL 307, NATIONAL POSTAL MAIL
HANDLERS UNION, AFL-CIO, A DIVISION
OF THE LABORERS' INTERNATIONAL UNION
OF NORTH AMERICA, AFL-CIO

Charging Party

**ORDER FURTHER CONSOLIDATING CASES, FIRST AMENDED
CONSOLIDATED COMPLAINT AND NOTICE OF HEARING**

Pursuant to Section 102.33 of the Rules and Regulations of the National Labor Relations Board (the Board) and to avoid unnecessary costs or delay, IT IS ORDERED THAT Cases 07-CA-106504 and 07-CA-106507, filed by the Charging Party against Respondent are consolidated with Cases 07-CA-099718, Case 07-CA-100726, Case 07-CA-100731, Case 07-CA-100734 and 07-CA-101246 Case CA-101246, which are based on charges filed by the Charging Party against Respondent in which an Order Consolidating Cases, Consolidated Complaint and Notice of Hearing issued on May 31, 2013.

This Order Further Consolidating Cases, First Amended Consolidated Complaint and Notice of Hearing, which is based on these charges, is issued pursuant to Section 10(b) of the National Labor Relations Act, 29 U.S.C. § 151 et seq. (the Act), the Postal Reorganization Act, 39 U.S.C. § 101 et seq. (PRA), and Section 102.15 of the Board's Rules and Regulations, and alleges Respondent has violated the Act as described below:

1(a). The charge in Case 07-CA-099718 was filed by the Charging Party on March 6, 2013, and a copy was served by regular mail on Respondent on the same date.

(b). The amended charge in Case 07-CA-099718 was filed by the Charging Party on March 15, 2013, and a copy was served by regular mail on Respondent on the same date.



(c). The charge in Case 07-CA-100726 was filed by the Charging Party on March 20, 2013, and a copy was served by regular mail on Respondent on the same date.

(d). The charge in Case 07-CA-100731 was filed by the Charging Party on March 20, 2013, and a copy was served by regular mail on Respondent on the same date.

(e). The charge in Case 07-CA-100734 was filed by the Charging Party on March 20, 2013, and a copy was served by regular mail on Respondent on the same date.

(f). The charge in Case 07-CA-101246 was filed by the Charging Party on March 26, 2013, and a copy was served by regular mail on Respondent on March 27, 2013.

(g). The charge in Case 07-CA-106504 was filed on June 5, 2013 and a copy was served by regular mail on Respondent on the same date.

(h). The charge in case 07-CA106507 was filed on June 5, 2013 and a copy was served by regular mail on Respondent on the same date.

2. Respondent provides postal service for the United States and operates various facilities throughout the United States in the performance of that function, including its facilities in Grand Rapids, Michigan.

3. The Board has jurisdiction over Respondent and this matter by virtue of Section 1209 of the PRA.

4. At all material times, the National Postal Mail Handlers Union (NPMHU), AFL-CIO, (National Union), and the Charging Party, have each been a labor organization within the meaning of Section 2(5) of the Act.

5. At all material times the following individuals held the positions set forth opposite their respective names and have been supervisors of Respondent within the meaning of Section 2(11) of the Act, and agents of Respondent within the meaning of Section 2(13) of the Act:

Darlene Brenner	Manager Distribution Operations – Grand Rapids
Brian Fisher	Senior Plant Manager – Grand Rapids
Martin Hunicutt	Plant Manager – Patterson Annex
John Gibbons	In Plant Support Engineer – Patterson Annex
Vance Dever	Senior Manager of Distribution Operations – Grand Rapids
Sandy Henkel	Senior Plant Manager Secretary – Grand Rapids
Derrick M. Storm	Manager Labor Relations – Grand Rapids

6. The employees of Respondent described in Article 1 (Union Recognition) of the collective bargaining agreement between Respondent and the National Union with a term of November 21, 2006 until November 20, 2011, (the Unit) constitutes a unit appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act.

7. At all material times, Respondent has recognized the National Union as the exclusive collective bargaining representative of the Unit. This recognition has been embodied in successive collective bargaining agreements, the most recent of which, referenced above in paragraph 6, is effective from November 21, 2011 through May 20, 2016.

8. At all material times, based on Section 9(a) of the Act, the National Union has been the exclusive collective-bargaining representative of the Unit.

9. At all material times, the Charging Party has been the designated servicing representative of the National Union for employees in the Unit employed at Respondent's Grand Rapids, Michigan facilities.

10. Since about the dates set forth below, the Charging Party requested, in writing, that Respondent furnish it with the following information:

Date of Request	Requested Information
(a). January 8, 2013	Casual Hiring forms for: i. Audry Gillespie – December 2012 / January 2013 ii. James Jones – December 2012 / January 2013 iii. Carl Uzarski – December 2012 / January 2013
(b). February 8, 2013	i. Copy of any discipline issued to Nichon Perrier for conduct unbecoming or discipline for throwing a shoe, grabbing equipment from an employee's hands, creating a hostile work place (2010, 2011, 2012); ii. Copy of any discipline issued to Vance Dever for conduct unbecoming or discipline issued for grabbing mail from an employee's hands, creating a hostile environment (2012); iii. Copy of any discipline issued to Lynn Rutherford for conduct unbecoming while acting as 204(b) (2011, 2012).
(c). February 15, 2013	Complete Case File For APWU R1399 Dispute J94C-1J-C-98050683 and Grievance # LDRC00398 (GR38797C)
(d). March 7, 2013	All labor management minutes for 2011 year, all ptr bid cycles from December 2010 thru May 2012
(e). March 12, 2013	Copy of tour 2 master OTDL at end of quarter to show when people requested to be off list, July-September and October-December 2012.
(f). May 1, 2013 and again on May 10, 2013 and May 14, 2013	The Staffing Matrix for the SPBS/APBS 5-seater that is in the process of installation.
(g). May 10, 2013 and again on May 28, 2013	Productivity and efficiency reports prior to the hiring of the first MHAs and the current productivity and efficiency reports prior to the proposed hiring on 5/18/13 of 8-9 MHAs.

11. The information requested by the Charging Party, as described above in paragraph 10, is necessary for, and relevant to, the Charging Party's performance of the duties as the servicing representative of the exclusive collective bargaining representative of the Unit.

12(a). Respondent, by its agent Derrick Storm, by written response dated March 14, 2013, refused, and thereafter unreasonably delayed until April 26, 2013, in furnishing the Charging Party with the information requested by it as described above in paragraph 10(a)(i)-(iii).

(b) (i). Respondent, by its agent Derrick Storm, by written communication dated March 12, 2013, requested that the Charging Party explain the relevance of its request for information described above in paragraph 10(b) (i) - (iii).

(ii). Following a written explanation from the Charging Party dated March 12, 2013, describing the relevance of the requested information in paragraph 10(b) (i)-(iii) above, Respondent unreasonably delayed until April 26, 2013, in furnishing the Charging Party with the information requested by it as described above in paragraph 10(b) (i)-(iii).

(c). From about February 15, 2013 to about the third week of April 2013 Respondent unreasonably delayed in furnishing the Charging Party with the requested information requested by it as described above in paragraph 10(c).

(d). Since about March 7, 2013, Respondent, by its agent Sandy Henkel, has failed and refused to furnish the Charging Party with the information requested by it as described above in paragraph 10(d).

(e). From about March 12, 2013 to about April 8, 2013, Respondent unreasonably delayed in furnishing the Charging Party with the information requested by it as described above in paragraph 10(e).

(f). From about May 1, 2013 to the present, Respondent, by John Gibbons, has refused to provide the information requested by it as described above in paragraph 10(f).

(g). From about May 10, 2013 to June 14, 2013, Respondent, has unreasonably delayed in furnishing the Charging Party with the information requested by it as described above in paragraph 10(g).

13. By the conduct described above in paragraph 12, the Respondent has been failing and refusing to bargain collectively and in good faith with the servicing representative of the exclusive collective bargaining representative of its employees in violation of Section 8(a)(1) and (5) of the Act, and within the meaning of the PRA.

WHEREFORE, it is prayed that Respondent be ordered to:

1. Cease and desist from:

(a). Engaging in the conduct described in paragraph 12, or in any other manner interfering with, restraining, or coercing its employees in the exercise of rights guaranteed in Section 7 of the Act.

(b). engaging in the conduct described in paragraph 12 or in any other manner refusing to bargain collectively with the Charging Party as designated servicing representative of the exclusive representative of the employees in the Unit at Respondent's Grand Rapids facilities.

2. Take the following affirmative action:

(a). Provide the Charging Party with the information described in paragraph 10(d) and 12(f).

(b). Upon request bargain collectively and in good faith with the Charging Party as the servicing representative of the exclusive collective bargaining representative of the employees in the Unit at Respondent's Grand Rapids facilities.

(c). Post appropriate notices.

The Acting General Counsel further prays for such other relief as may be just and proper to remedy the alleged unfair labor practices.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the first amended consolidated complaint. The answer must be **received by this office on August 20, 2013 or postmarked on or before August 19, 2013**. Respondent should file an original and four copies of the answer with this office and serve a copy of the answer on each of the other parties.

An answer may also be filed electronically through the Agency's website. To file electronically, go to www.nlr.gov, click on **File Case Documents**, enter the NLRB Case Number, and follow the detailed instructions. The responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than 2 hours after 12:00 noon (Eastern Time) on the due date for filing, a failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. See Section 102.21. If the answer being filed electronically is a pdf document containing the required signature, no paper copies of the answer need to be transmitted to the Regional Office. However, if the electronic version of an answer to a complaint is not a pdf file containing the required signature, then the E-filing rules require that such answer containing the required signature continue to be submitted to the Regional Office by traditional means within three (3) business days after the date of electronic filing. Service of the

answer on each of the other parties must still be accomplished by means allowed under the Board's Rules and Regulations. The answer may not be filed by facsimile transmission. If no answer is filed, or if an answer is filed untimely, the Board may find, pursuant to a Motion for Default Judgment, that the unanswered allegations in the first amended consolidated complaint are true.

NOTICE OF HEARING

PLEASE TAKE NOTICE THAT on September 12, 2013, at 10:00 a.m., at the Gerald R. Ford Federal Building, 110 Michigan Street, NW, Room 299, Grand Rapids, Michigan, and on consecutive days thereafter until concluded, a hearing will be conducted before an administrative law judge of the National Labor Relations Board. At the hearing, Respondent and any other party to this proceeding have the right to appear and present testimony regarding the allegations in this first amended consolidated complaint. The procedures to be followed at the hearing are described in the attached Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB 4338.

Dated: August 6, 2013

Dennis R. Boren, Acting Regional Director
National Labor Relations Board, Region Seven
Patrick V. McNamara Federal Building
477 Michigan Avenue, Room 300
Detroit, Michigan 48226

Attachments